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ELECTROCOM, INC.

Jan 24 6 44 PM '94
PRIVATE RADIO ENGINEERING
614 BORNE AVENUE, NEW ORLEANS, LA 70116-1299
(504) 947-4743 FAX # (504) 949-1117

EX PARTE OR LATE FILE

PRB
GND Docket
93-252

January 17, 1994

Office Of Chairman Reed Hundt
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

Specialized Mobile Radio systems have been, since their inception, adjudged private systems regulated by the Private Radio Bureau. Admittedly their status has blurred with the increasingly more liberal rules and policies particularly regarding interconnections with the telephone network and more recently the proliferation of wide-area EMSRs.

To reclassify all SMRs to Commercial Mobile Service absent the three year transition period (that seemed a reasonable compromise) would be a gross injustice to small businesses such as ours. We do not argue with the concept of regulatory parity but "instant reclassification" will undoubtedly place a great burden on our firm and stifle our ability to compete in a fast changing market.

We implore you to retain the three year transition period for small footprint systems whose operations show little similarity to ESMRs and cellular networks.

Sincerely,

Robert C. Wallenburg

Robert C. Wallenburg
President

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CH

Radicom

Business Communications Systems

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EX PARTE DATE FILED

GU Docket #25
No. 93-252

JANUARY 11, 1994

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

DEAR CHAIRMAN HUNDT:

I AM WRITING TO URGE THE FCC TO DELAY ANY RECLASSIFICATION OF SMRS TO COMMERCIAL MOBILE SERVICES. WHILE YOU HAVE THE OPPORTUNITY TO REVIEW THE CURRENT LEVEL OF COMPETITION BETWEEN THIS INDUSTRY AND CELLULAR AND THE LIMITED ABILITY OF THE TRADITIONAL SMR TO PROVIDE A SERVICE " FUNCTIONALLY EQUIVALENT " TO CELLULAR.

I AM AN SMR OPERATOR OFFERING TRADITIONAL, NOT WIDE-AREA DIGITAL SERVICE. I BELIEVE THAT LABELING SMALL BUSINESSES, SUCH AS MINE, AS CMS WOULD SERIOUSLY IMPACT MY BUSINESS. THE REGULATIONS, WHICH MAY BE APPROPRIATE FOR AT&T OR RBOCs, WOULD GREATLY HAMPER MY ABILITY TO COMPETE WITH MY TYPICALLY LARGE COMPETITORS, AND WOULD PROVIDE A STRONG DISINCENTIVE FOR GROWTH AND INNOVATION.

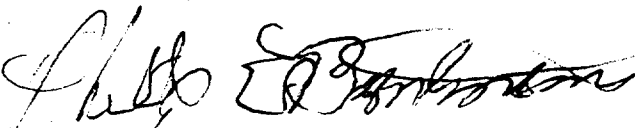
I RECOGNIZE THAT SOME SMRS PROPOSING TO CONVERT TO HIGH CAPACITY, WIDE AREA SYSTEMS SHOULD AND WILL BE CLASSIFIED AS CMS. AS THEY MOVE TOWARD GENUINE COMPETITION WITH CELLULAR AND PCS. EVEN THEN, CONGRESS HAS ALREADY DECIDED THAT TIME WILL BE NEEDED IF THESE NEW SYSTEMS ARE EXPECTED TO BECOME TRULY COMPETITIVE.

THE SMR INDUSTRY SUPPORTED PASSAGE OF THE OMNIBUS RECONCILIATION BILL ON THE BELIEF THAT TRADITIONAL SMR'S WOULD CONTINUE TO BE CONSIDERED AS CARRIERS.

I URGE YOU NOT TO PERMIT THE TRADITIONAL SMR BUSINESS TO BE SADDLED WITH THE UNNECESSARILY BURDENSOME COMMON CARRIER REGULATIONS.

PLEASE DON'T "DUMP" ALL SMRS INTO THE NEWLY CREATED CMS.

SINCERELY,



PHILLIP E. BARTMANN
PRESIDENT

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011

GU Docket 93-252

WOODARD COMMUNICATIONS CORP.

P.O. DRAWER 7268
OPELOUSAS, LOUISIANA 70571-7268
PHONE 504-948-4848

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January 26, 1994

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Mr. Reed Hundt, Chairman
Federal Communications Commissioner
Washington, DC**

Dear Chairman Hundt:

We are writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobile Services. While you have an opportunity to review the current level of competition between this industry and cellular and the limited ability of the traditional SMR to provide a service functionally equivalent to cellular. We also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

We are SMR operators offering traditional, not wide-area digital, service. We believe that labeling small businesses, such as ours, as CMS would seriously impact our business. The regulations, which may be appropriate for AT&T or RBOC's, would greatly hamper our ability to compete with our typically large competitors, and would provide a strong disincentive for growth and innovation.

We recognize that some SMRs proposing to convert to high capacity, wide area systems should and will be classified as CMS, as they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would continue to be considered as carriers. We also understood that anyone classified as CMS would have a three year transition period.

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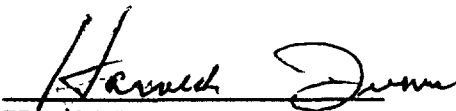
Mr. Reed Hundt, Chairman
Federal Communications Commissioner
January 26, 1994
Page 2

We urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum the Congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC is committed.

Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMRs into the newly created CMS.

Yours truly,

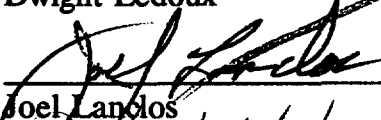
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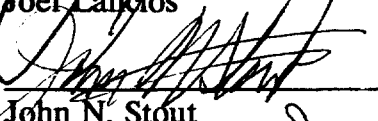
Harold Dupre



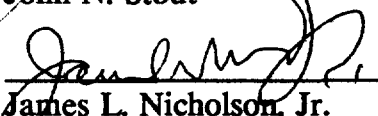
Dwight Ledoux



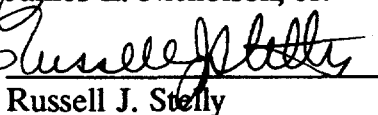
Joel Lanclos



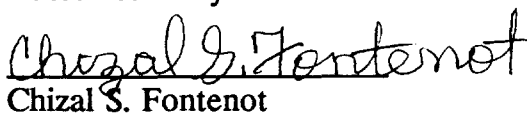
John N. Stout



James L. Nicholson, Jr.



Russell J. Stelly



Chizal S. Fontenot

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ADVANCED COMMUNICATIONS, INC.

JAN 22 10 55 AM '94

593 Overmyer Road
Sparks, NV 89431
Phone: (702) 353-3600 Fax: (702) 353-3621

AUTHORIZED DEALER FOR
E.F. JOHNSON
RADIO COMMUNICATION
PRODUCTS

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554
Attn: Chairman Hunt

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FEB 23 1994

Dear Chairman Hunt,

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I am writing to urge the FCC to delay or withdraw any reclassification of existing analog SMRs to Commercial Mobile Services. While you have an opportunity to review the current level of competition between this industry and cellular and the limited ability of the traditional SMR to provide a service functionally equivalent to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

I am an SMR operator offering traditional, not wide area digital, service. I believe that labeling small businesses, such as mine, as CMS would seriously impact my business. The regulations, which may be appropriate for AT&T or RBOCs, would greatly hamper my ability to compete with my typically large competitors, and would provide a strong disincentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity, wide area systems should and will be classified as CMS. As they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum the Congressionally mandated three year transition is needed to promote the competitive environment to which the FCC is committed.

Sincerely,


Jim Boyer

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MAC

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COMMUNICATIONS

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21 3 43 PM '94

January 13, 1994

Office of Chairman Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

I am writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobil Services (CMS). I hope you have an opportunity to review the current level of competition between this industry and cellular and the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

I am a SMR operator offering traditional, not wide-area digital, service. I believe that labeling small businesses, such as mine, as CMS would seriously impact my business. The regulations, which may be appropriate for AT&T or RBOC's, would greatly hamper my ability to compete with my typically large competitors, and would provide a strong disincentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity wide area systems, should and will be classified as CMS as they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMRs would continue to be considered as carriers. We also understood that anyone classified as CMS would have a three year transition period.

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum the Congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC is committed.

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A Division of Mankato Answering Service

93-252

Please extend to us, at the very least, the three year transition period that was mandated by Congress and please don't dump all SMRs into the newly created CMS. Another solution might be to let the regulation be by choice, not mandatory. I believe my business will be severely hurt by mandatory change to CMS.

Yours Very Truly,



J. Bradford Reeves
President

JBR/hdr

GU Docket 93-252 PRB



LEONARD

1382 Crane Street • Schenectady, New York 12303

GENERAL ELECTRIC

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Authorized Sales and Service
MOBILE RADIO

January 20, 1994

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Federal Communication Commission
P.R.B.
Attention: Chairman Hundt
2025 M Street
Washington, DC 20554

Dear Chairman Hundt:

I am writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobile Service. While you have an opportunity to review the current level of competition between this industry and cellular and the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

I am an SMR operator offering traditional, not wide-area digital, service. I believe that labeling small businesses, such as mine, as CMS would seriously impact my business. The regulations, which may be appropriated for AT&T or RBOCs, would greatly hamper my ability to compete with my typically large competitors, and would provide a strong disincentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity, wide area systems should and will be classified as CMS, as they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would

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LEONARD

Communications Inc.
1302 Crane Street • Schenectady, New York 12303

GENERAL  ELECTRIC

Authorized Sales and Service

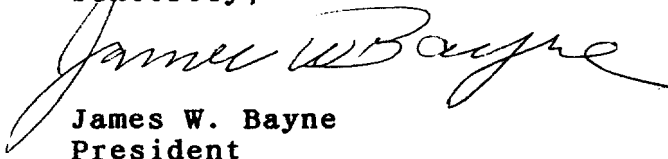
MOBILE RADIO

continue to be considered as carriers. We also understood that anyone classified as CMS would have a three year transition period.

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum the Congressionally mandated three year transition is needed to promote the competitive environment to which the FCC is committed.

Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMRs into the newly created CMS.

Sincerely,



James W. Bayne
President

JWB/tap

GD Docket No 93-252

BOREALIS COMMUNICATIONS
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139 WAREHOUSE AVE., SUITE C SOLDOTNA, ALASKA 99669-7996

(907) 262-5639 FAX (907) 262-0486

JAN 11 1994

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December 28, 1993

JAMES :

Commissioner James H. Quello
Room 802
1919 M Street, NW
Washington, DC 20554

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Commissioner,

I was alarmed recently when I heard that the FCC initiated rule making proceedings which could result in a drastic increase in the regulatory burden placed on my company. Apparently Congress has mandated the imposition of "regulatory parity" among mobile communication providers. This has me scared to death.

Our firm is a small two-way communications company in Soldotna. We operate a couple of repeater channels on the Kenai Peninsula, and cater mostly to other small service industry companies.

One possible interpretation of "regulatory parity" would cause our company to be treated the same as a cellular licensee.

There is talk of allowing cellular and ESMR carriers to use some of their allocated channels for dispatch. Because of the monopolistic (diapolistic?) nature of cellular licensing, and possible competitive bidding/lotteries for their channels, this will mean that the very deep pockets of the huge cellular and ESMR carriers will squeeze the last breath of air out of mom-and-pop-type companies like mine. And there are companies like mine in every state in the Union.

The FCC would lump small operators like us into their new, all-encompassing "commercial mobile service provider" category. We do not employ frequency reuse, and should continue to be regulated as private systems.

I have no illusions that Borealis Communications will ever be confused with Motorola, FleetCall, McCaw, etc. To our customers, however, we are their local, Alaskan service provider; we're the kind of firm that helped Alaska's fishermen, oilfield companies, and tour operators expand.

Please do what you can to keep small SMR operators in the category of private systems.

Sincerely,

Barney Wilborg

Barney Wilborg, owner

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*Air Communications
of Central Wisconsin, Inc.*

GN Docket No 93-252
PERB
MOTOROLA
Radius™

January 18, 1994 DESIGN, SALES AND SERVICE OF TWO-WAY RADIO COMMUNICATIONS SYSTEMS

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Office of Chairman Reed Hundt
FCC
1919 M Street NW
Washington, DC 20554

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FEB 23 1994

Dear Chairman Hundt:

The small, local SMR is in no way a threat to, competitor of, cellular service.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

My small SMR provides two-way dispatch service to about 600 small businesses in Central and Northern Wisconsin, and can not be considered to be "functionally equivalent" to cellular. In addition, we offer service only to business and government, not to the general public.

I believe throwing the small SMR in with the monopoly status cellular companies for regulatory purposes would ultimately be devastating to the traditional SMR service. Is the purpose of regulation to enhance competition to the benefit of the end-user, or destroy competition to the benefit of those with the most powerful lobbyists?

It makes sense to regulate ESMRs, after a suitable period of consolidation and growth, on a par with cellular. But to place the burden of common carriage regulation on small niche companies such as ours makes no sense whatsoever.

I urge the commission to please draw a distinction between Wall Street financed cellular and ESMR operations, and those such as ours, financed with personal guarantees and second mortgages on our homes.

Please follow congressional intent and leave the basics of the original industry compromise in place:

1. Traditional SMR's remain private carrier.
2. Dispatch only on frequencies originally so licensed.
3. 3-year transition period from private to commercial service for those affected.
4. "Functional equivalency" test for reclassification as commercial service.

Sincerely,

Ron Fentz

Ron Fentz
President

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071

SunCom<<< Mobile & Data, Inc.
2509 Stuart Street
Berkeley, CA 94705

Chairman Hundt
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Dear Chairman Hundt,

Our company is engaged in development of hundreds of 220-222 MHz ("220") systems across the US. Part of our assumptions and business plan involve 220 licenses and systems remaining classified as Private Radio systems, or in any case, operating under rules, as has been the case for SMR's, considerably different from rules applicable to commercial cellular systems.

Our company urges the FCC to delay an reclassification of 220-222 MHz systems ("220") to Commercial Mobile Services. These systems cannot, and for the public benefit should not, operate on "functionally equivalent" basis with cellular or ESMR systems. The 220 systems, by inherent technical and capacity limitations, cannot be "functionally equivalent" nor close to such:

1. Each license (the local, five-channel license category of 220) has only five 5-KHz channels. Even large collections of these licenses in a geographic area, operated in a consortium, will have only a small fraction of the channels that cellular and ESMR systems would or could have in such area. And in terms of total bandwidth, that fraction would be further reduced to about one-fifth (since each 220 channel is about 1/5th the bandwidth of a cellular or 800 MHz SMR channel).
2. The 220 systems can operate only in a half-duplex mode, due to having transmit and receive frequencies only 1 MHz apart-- too close for practical, commercially feasible full duplex equipment (the only type-accepted 220 equipment is half-duplex, and the 220 equipment vendors have not devised a means to cost-effectively achieve full duplex in 220, due to the very close [1 MHz] proximity of transmit and receive frequencies.). Cellular and ESMR easily operate in full duplex. 220, without full duplex, cannot compete on an "equivalent" basis in the interconnect market. Also, with such limited channels and bandwidth, 220 must limit even its half-duplex interconnect if it intends to use its relatively small capacity to serve well its principal market, which is traditional dispatch.
3. The 220 operators, per FCC rules, must operate within 5 KHz narrowband channels; whereas cellular and ESMR have 25 to 30 KHz channels which allow for a wider variety of propagation methods including channel splitting techniques (TDMA, CDMA, FHMA, MIRS, etc) and higher speed data. As spectrum-efficient narrowband

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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pioneers, the 220 operator must be allowed to develop and test various new 220 technologies in select, controlled, flexible private-company applications-- of the operator's choosing-- and not burdened by requirement to open up such pioneering services to the public at large (to any interested party).

Clearly, the new, pioneering 220 operators should not be subject to the same or as much or demanding regulation as commercial, high-capacity cellular and ESMR operations. 220 should be allowed to develop and operate as Private Radio services, providing dispatch and other "niche" or "customized" services for special segments of the population. 220 should not be subject to State regulation; should be allowed to choose and exclude parties it serves, and should otherwise be permitted such reasonable allowances that currently apply to SMR's and that appropriately have not been allowed for (and should not be extended to) these commercial public services such as cellular and ESMR.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren Havens", written in a cursive style.

Warren Havens
President and CEO



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93-252
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January 11, 1994

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FEB 23 1994

Office of Chairman Reed Hundt
Federal Communications Commission
1919 M Street NW
Washington DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

I am writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobile Services to allow an opportunity to review the current level of competition between this industry and cellular, and the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

Ericsson-GE primarily serves the SMR operator offering traditional, not wide-area digital, service. I believe that labeling small SMRs, as CMS would seriously impact those businesses. Regulations, which may be appropriate for AT&T or RBOCs, would greatly hamper their ability to compete with large organizations, and thereby provides a strong dis-incentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity, wide area systems should and will be classified as CMS, as they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would continue to be considered as carriers. We also understood that anyone classified as CMS would have a three year transition period.

I urge you not to permit the traditional SMR business to be saddled with unnecessarily burdensome common carrier regulations. At a minimum the Congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC claims it is committed.

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January 11, 1994

Office of Chairman Reed Hundt
Federal Communications Commission

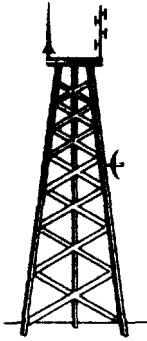
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Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMRs into the newly created CMS.

Regards,



Don Lindsly
Manager - Carrier Sales



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93-252
Tower Communications, Inc. PACKET FILE COPY ORIGINAL

3305 Fern Street, Alexandria, LA. 71302 - 3898 • Phone (318) 445-0873

Tower & Equipment Leasing

January 11, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

OFFICE OF CHAIRMAN HUNDT
FCC
1919 M. STREET, NW
WASHINGTON D.C. 20554

Dear Chairman Hundt:

I am writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobile Services. While you have an opportunity to review the current level of competition between this industry and cellular and the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

I am an SMR operator offering traditional, not wide-area digital, service. I believe that labeling small businesses, such as mine, as CMS would seriously impact my business. The regulations, which may be appropriate for AT&T or RBOC's, would greatly hamper my ability to compete with my typically large competitors, and would provide a strong disincentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity, wide area systems should and will be classified as CMS. As they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would continue to be considered as carriers. We also understood that anyone classified as CMS would have a three year transition period.

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum the Congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC is committed.

Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMR's into the newly created CMS.

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Sincerely,

Glenn Weishuhn
Glenn Weishuhn

GW/gj

510 Docket No
93-252
PBB

TRIANGLE COMMUNICATIONS, INC.

"TWO WAY MOBILE COMMUNICATIONS SALES AND SERVICE"

DOCKET FILE COPY ORIGINAL

January 13, 1994

Federal Communication Commission
ATTN: Chairman Reed Hundt
Private Radio Bureau
2025 M St., NW
5th Floor
Washington, DC 20554

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FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Reed Hundt:

I am writing to urge the FCC to delay any reclassification of SMR's to Commercial Mobile Services. As you have an opportunity to review the current level of competition between ESMR, PCS and cellular you will note the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

Triangle Communications, Inc. is an SMR operator offering traditional dispatch radio, not wide-area digital, service. I believe that labeling small businesses, such as ours as CMS would seriously impact our business. The regulations which may be appropriate for AT&T or regional Bells would greatly hamper our ability to compete with our typically large competitors, and would provide a strong disincentive for growth and innovation.

As some SMR's move toward genuine competition with Cellular and PCS by converting to high capacity, wide area systems, classification as CMS will be appropriate. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would continue to be considered as private carriers. We also understood that anyone classified as CMS would have a three year transition period.

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071

TRIANGLE COMMUNICATIONS, INC.

"TWO WAY MOBILE COMMUNICATIONS SALES AND SERVICE"

EX PARTE OR LATE FILED

PAGE 2

FEDERAL COMMUNICATION COMMISSION
ATTN: Chairman Reed Hundt

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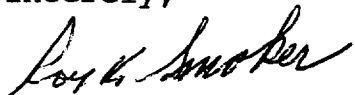
FEB 23 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At the minimum the congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC is committed.

Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMR's into the newly created CMS.

Sincerely,



Roy K. Smoker
Vice President

cc: The Honorable Albert Gore, Vice President
The Honorable Robert Walker, US House of Representatives

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MAIN OFFICE:
2040 RADISSON STREET
GREEN BAY, WI 54302

PHONE: 414/468-7373

January 12, 1994

TELEPHONE:
STURGEON BAY
SHAWANO

743-0440
526-6494

GN Docket No. 93-252

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

FEDERAL COMMUNICATIONS COMMISSION
ATTN: CHAIRMAN REED HUNDT
1919 M ST NW
WASHINGTON DC 20554

Dear Chairman Hundt,

I am writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobile Services. While you have an opportunity to review the current level of competition between this industry and cellular, and the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

I am a SMR operator offering traditional, not wide-area digital service. I believe that labeling small businesses, such as mine, as CMS would seriously impact my business. The regulations, which may be appropriate for AT & T or RBOC's would greatly hamper my ability to compete with my typically large competitors, and would provide a strong disincentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity, wide-area systems should and will be classified as CMS. As they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would continue to be considered as private carriers. We put our faith in the FCC to support rather than destroy the traditional SMR businesses. I hope this support has not changed with your new leadership at the FCC.

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum, the Congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC is committed.

Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMR's into the newly created CMS.

Sincerely,

Thomas W. Pohlman
Thomas W. Pohlman
Owner - E.T. Communications Co.

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GN Docket 93-252 PRB

AUTOMATED BUSINESS COMMUNICATIONS CO.
2040 RADISSON ST
GREEN BAY WI 54302-0285

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January 12, 1994

FEDERAL COMMUNICATIONS COMMISSION
ATTN: CHAIRMAN REED HUNDT
1919 M ST NW
WASHINGTON DC 20554

Dear Chairman Hundt,

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I am writing to urge the FCC to delay any reclassification of SMRs to Commercial Mobile Services. While you have an opportunity to review the current level of competition between this industry and cellular, and the limited ability of the traditional SMR to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period for conversion of private systems to CMS, respective of which systems are included.

I am a SMR operator offering traditional, not wide-area digital service. I believe that labeling small businesses, such as mine, as CMS would seriously impact my business. The regulations, which may be appropriate for AT & T or RBOC's would greatly hamper my ability to compete with my typically large competitors, and would provide a strong disincentive for growth and innovation.

I recognize that some SMRs proposing to convert to high capacity, wide-area systems should and will be classified as CMS. As they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems are expected to become truly competitive. Just as in the long distance market, a transition period is needed during which different types of regulations will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill on the belief that traditional SMR's would continue to be considered as private carriers. We put our faith in the FCC to support rather than destroy the traditional SMR businesses. I hope this support has not changed with your new leadership at the FCC.

I urge you not to permit the traditional SMR business to be saddled with the unnecessarily burdensome common carrier regulations. At a minimum, the Congressionally mandated three-year transition is needed to promote the competitive environment to which the FCC is committed.

Please extend to us, at the very least, the three year transition period that was mandated by Congress, and please don't "dump" all SMR's into the newly created CMS.

Sincerely,



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Daniel T. Pohlman
Owner - Automated Business Communications Co.

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LAVONNE CORDON CAR PHONES, INC.

LaVonne Cordon, President

PO Box 11110
Bainbridge Island, WA 98110

(206) 842-2814
Fax (206) 842-5575

January 20, 1994

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FEB 23 1994

Honorable Reed Hundt
Chairman
Federal Communications Commission
1919 M. Street NW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Hundt:

I am writing to urge the Commission to delay any reclassification of SMRs to Commercial Mobile Services (CMS). If this is done, you have an opportunity to review the current level of competition between the "traditional SMR" and cellular you will also be able to evaluate the limited ability of the "traditional SMR" to provide a service "functionally equivalent" to cellular. I also urge you to affirm the Congressional intent to have a three year transition period of conversion of the "traditional SMR" systems to CMS.

I am a woman who is the sole owner and operator of a small SMR system offering traditional, not wide-area digital, service. I know that labeling small businesses, such as mine, as CMS would seriously impact my business. Moreover, applying regulations, which may be appropriate for AT&T or RBOCs, would greatly hamper my ability to compete with typically large competitors, and would provide a strong disincentive for my SMR growth and innovation.

I recognize that some SMRs which are proposing and are converting to high capacity, wide area systems should and will be classified as CMS. As they move toward genuine competition with cellular and PCS. Even then, Congress has already decided that time will be needed if these new systems and the rest of the SMR industry are to become truly competitive. Just as in the long distance market, the transition period is needed during which determinations can be made as to the different types of regulations that will be appropriate for different degrees of competitive development.

The SMR industry supported passage of the Omnibus Reconciliation Bill in the belief that traditional SMR's would continue to be considered as private carriers. We also understood that anyone involved in CMS would have a three year transition period to make this major shift in operation.

I urge you not to penalize the "traditional SMR" systems with the unnecessarily burdensome common carrier regulation at this time. At a minimum the Congressionally mandated three-year transition time should be maintained to permit the developing the competitive environment to which the Commission is committed.

Very truly yours,

LaVonne H. Cordon Car Phone, Inc.

LaVonne H. Cordon

LaVonne H. Cordon, President

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